

REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed January 12, 2007. In the Office Action, the Examiner notes that claims 1-22, 24-46, 48 and 49 are pending of which claims 1-6, 14-22, 24-30, 38-46 and 48-49 are rejected and claims 7-13 and 31-37 are withdrawn. By this response, Applicant has amended claims 1-3, 5, 14, 16, 22, 24-27, 38, 46, and 48-49.

In view of both the amendments presented above and the following discussion, Applicant submits that none of the claims now pending in the application are anticipated or obvious, under the respective provisions of 35 U.S.C. §§102 and 103. Thus, Applicant believes that all of the claims are now in allowable form.

It is to be understood that Applicant, by amending the claims, does not acquiesce to the Examiner's characterizations of the art of record or to Applicant's subject matter recited in the pending claims. Further, Applicant is not acquiescing to the Examiner's statements as to the applicability of the prior art of record to the pending claims by filing the instant response including amendments.

REJECTIONS

35 U.S.C. §§102 and 103

Claims 1-2, 22, 24-26 and 46

The Examiner has rejected claims 1-2, 22, 24-26 and 46 under 35 U.S.C. §102(e) as being anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over Hericourt et al. (U.S. 2002/0078347, hereinafter "Hericourt"). Although the Examiner did not indicate a basis for the rejection of claim 48, Applicant believes that the Examiner inadvertently omitted claim 48 from this section of the Office Action. Applicant respectfully traverses the rejection.

In general, as taught in Hericourt, a user device receives a message having a certificate for the message. A Certificate Locker on the user device stores the certificate in a secure zone until it can be validated. The Certificate Locker calls a Certificate Checker on the user device, which determines the identifier of the certificate authority (CA) that has issued the certificate of the received message

(CA_Id). (Hericourt, Para. 0093). The Certificate Checker uses the CA identifier (CA_Id) to search a Certificate Checker Table on the user device in order to identify a Certificate Authority (CA) Filter stored on a network device. (Hericourt, Para. 0094-0095). The Certificate Checker sends a request to the identified CA Filter. (Hericourt, Para. 0096). The Certificate Checker may send a request for a level of trust of the CA, or a full request for the certificate of the CA. (Hericourt, Para. 0096-0098, 0100, and 0163-0165). The CA Filter responds to the Certificate Checker of the user device, providing the certificate of the CA (in the request is a full request). The Certificate Checker receives the response from the CA Filter and validates the certificate of the received message using the CA certificate included in the response from the CA Filter. (Hericourt, Para. 0101 – 0131).

Hericourt, however, fails to teach or suggest each and every element of Applicant's claim 1. Namely, Hericourt fails to teach or suggest at least the limitation of "providing a trust information object (TIO) to said client, wherein for each of a plurality of trust entity certificates said TIO comprises: 1) a hash value of said trust entity certificate, and 2) associated trust information indicating a level of trust for a trusted entity associated with said trust entity certificate, wherein the trusted entity comprises a certificate authority," as claimed in Applicant's claim 1. In particular, independent claim 1 recites:

A method for delivering certificates with associated trust information from a trust information provider to a client for verification of a received certificate by said client, comprising the steps of:

providing a trust information object (TIO) to said client, wherein for each of a plurality of trust entity certificates said TIO comprises: 1) a hash value of said trust entity certificate, and 2) associated trust information indicating a level of trust for a trusted entity associated with said trust entity certificate, wherein said trusted entity comprises a certificate authority; and verifying a received certificate using at least a portion of said TIO.
[Emphasis added.]

As claimed in Applicant's claim 1, a method for delivering certificates with associated trust information from a trust information provider to a client for verification of a received certificate by the client includes the steps of providing a TIO to the client and verifying a received certificate using at least a portion of the TIO. The TIO includes information for each of a plurality of trusted entity certificates. The

information for each trust entity certificate includes a hash value of the trust entity certificate and associated trust information indicating a level of trust for a trusted entity associated with the trust entity certificate.

By contrast, as taught in Hericourt, the CA Filter only provides one certificate to the user device in response to a request from the user device. Specifically, as taught in Hericourt, the CA Filter is accessed each time the CA Filter receives a request from a Certificate Checker of a user device for information related to the trust level of a CA identified in a certificate of a message received by that user device from another user device. (Hericourt, Para. 0157). If a record is found for the CA identified in the request from the Certificate Checker, the CA Filter either retrieves the certificate of the CA (or just a level of trust of the CA, depending on the type of request received from the Certificate Checker) and sends the retrieved certificate back to the Certificate Checker of the user device for use in validating the certificate of the received message using the certificate included in the response from the CA Filter.

In other words, Hericourt merely teaches a network device hosting a CA Filter which returns one certificate to a user device in response to a request from the user device for the CA certificate of an identified CA. By contrast, in Applicant's claim 1, the TIO provided to the client includes information for a plurality of certificates. Specifically, the TIO of Applicant's claim 1 includes a hash value of a trust entity certificate and associated trust information for each of a plurality of trust entity certificates. As such, a response from the CA Filter to the Certificate Checker of the user device that includes one certificate, as taught in Hericourt, fails to teach or suggest a TIO including a hash value of a trust entity certificate and associated trust information indicating a level of trust for a trusted entity associated with the trust entity certificate for each of a plurality of trust entity certificates, as claimed in Applicant's claim 1. Thus, Hericourt fails to teach or suggest each and every element of Applicant's claim 1. Similarly, Hericourt fails to teach or suggest Applicant's claim 1, as a whole.

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim."

Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). Since Hericourt does not teach or suggest a TIO including a hash value of a trust entity certificate and associated trust information indicating a level of trust for a trusted entity associated with the trust entity certificate for each of a plurality of trust entity certificates, Hericourt does not teach each and every element of Applicant's independent claim 1. Therefore, Applicant respectfully submits that the invention recited in claim 1 is not anticipated by Hericourt and, as such, fully satisfies the requirements of 35 U.S.C. §102.

The test under 35 U.S.C. §103 is not whether an improvement or a use set forth in a patent would have been obvious or non-obvious; rather the test is whether the claimed invention, considered as a whole, would have been obvious. Jones v. Hardy, 110 USPQ 1021, 1024 (Fed. Cir. 1984) (emphasis added). Moreover, the invention as a whole is not restricted to the specific subject matter claimed, but also embraces its properties and the problem it solves. In re Wright, 6 USPQ 2d 1959, 1961 (Fed. Cir. 1988) (emphasis added). Since Hericourt fails to teach or suggest a TIO including a hash value of a trust entity certificate and associated trust information indicating a level of trust for a trusted entity associated with the trust entity certificate for each of a plurality of trust entity certificates, Hericourt fails to teach or suggest Applicant's claim 1, as a whole. Therefore, Applicant respectfully submits that the invention recited in claim 1 is not obvious in view of Hericourt and, as such, fully satisfies the requirements of 35 U.S.C. §103.

Thus, Applicant's independent claim 1 is not anticipated by or obvious in view of Hericourt and is patentable under both 35 U.S.C. 102(e) and 35 U.S.C. 103(a). Furthermore, independent claims 22, 25 and 46 recite relevant limitations similar to the limitations recited in independent claim 1 and, as such, also are patentable over Hericourt under 35 U.S.C. 102(e) and 35 U.S.C. 103(a). Furthermore, claims 2, 24, 26 and 48 depend, directly or indirectly, from independent claims 1, 22 and 25 and recite additional limitations thereof. Accordingly, for at least the same reasons discussed with respect to independent claim 1, claims 2, 24, 26 and 48 also are patentable over Hericourt under 35 U.S.C. §§102(e) and 103(a).

Therefore, Applicant respectfully requests that the Examiner's rejection be withdrawn.

35 U.S.C. §103

Claims 3-4 and 27-28

The Examiner has rejected Claims 3-4 and 27-28 under 35 U.S.C. §103(a) as being unpatentable over Hericourt in view of Vogel et al. (U.S. 6,816,900, hereinafter "Vogel"). The rejection is traversed.

Claims 3-4 and 27-28 depend directly from independent claims 1 and 25 while adding additional elements. Moreover, for at least the reasons discussed above, Hericourt fails to teach or suggest Applicant's claims 1 and 25. Accordingly, any attempted combination of Hericourt with any other additional references, in a rejection against the dependent claims, would still result in a gap in the combined teachings in regards to the independent claims. As such, Applicant submits that dependent claims 3-4 and 27-28 are not obvious and are patentable under 35 U.S.C. §103.

Therefore, Applicant respectfully requests that the Examiner's rejection be withdrawn.

Claims 5 and 29

The Examiner has rejected Claims 5 and 29 under 35 U.S.C. §103(a) as being unpatentable over Hericourt in view of Applicant's admitted prior art (hereinafter "AAPA") and further in view of Vogel. The rejection is traversed.

Claims 5 and 29 depend directly from independent claims 1 and 25 while adding additional elements. Moreover, for at least the reasons discussed above, Hericourt fails to teach or suggest Applicant's claims 1 and 25. Accordingly, any attempted combination of Hericourt with any other additional references, in a rejection against the dependent claims, would still result in a gap in the combined teachings in regards to the independent claims. As such, Applicant submits that

dependent claims 5 and 29 are not obvious and are patentable under 35 U.S.C. §103.

Therefore, Applicant respectfully requests that the Examiner's rejection be withdrawn.

Claims 6, 30 and 49

The Examiner has rejected Claims 6, 30 and 49 under 35 U.S.C. §103(a) as being unpatentable over Hericourt. The rejection is traversed.

Claims 6 and 30

Claims 6 and 30 depend directly from independent claims 1 and 25 while adding additional elements. Moreover, for at least the reasons discussed above, Hericourt fails to teach or suggest Applicant's claims 1 and 25. As such, Applicant submits that dependent claims 6 and 30, for at least the same reasons discussed above, are not obvious and are patentable under 35 U.S.C. §103.

Therefore, Applicant respectfully requests that the Examiner's rejection be withdrawn.

Claim 49

Claim 49 recites relevant limitations similar to those recited in independent claims 1, 22, 25 and 46. As such, Applicant submits that independent claim 49, for at least the same reasons discussed above, is not obvious and is patentable under 35 U.S.C. §103(a).

Therefore, Applicant respectfully requests that the Examiner's rejection be withdrawn.

Claims 14-17, 20-21, 38-41, and 44-45

The Examiner has rejected claims 14-17, 20-21, 38-41 and 44-45 under 35 U.S.C. §103(a) as being unpatentable over Hericourt in view of Samar (U.S. 6,304,974, hereinafter "Samar"). The rejection is traversed.

Hericourt and Samar alone or in any permissible combination fail to teach or suggest Applicant's invention as a whole.

Independent claims 14 and 38 recite relevant limitations similar to those recited in independent claims 1, 22, 25 and 46. As such, Applicant submits that independent claims 14 and 38, for at least the same reasons discussed above, are not obvious in view of Hericourt and are patentable under 35 U.S.C. §103.

Furthermore, Samar fails to bridge the substantial gap between Hericourt and Applicant's invention.

Samar fails to teach or suggest Applicant's claim 14, as a whole. Namely, Samar fails to teach or suggest at least the limitation of "embedding a trust information object (TIO) within said client, wherein for each of a plurality of trust entity certificates said TIO comprises: 1) a hash value of said trust entity certificate, and 2) associated trust information indicating a level of trust for a trusted entity associated with said trust entity certificate, wherein the trusted entity comprises a certificate authority," as claimed in Applicant's claim 14.

Rather, Samar merely discloses a system for managing trusted certificates. As taught in Samar, the system assembles a list of trusted certificates containing public keys for authenticating communications signed by associated private keys. The assembly process may include verifying the authenticity of trusted certificates. Samar, however, fails to teach or suggest a TIO including, for each of a plurality of trust entity certificates, a hash value of the trust entity certificate and associated trust information. As such, Samar, alone or in combination with Hericourt, fails to teach or suggest Applicant's claim 14, as a whole.

Therefore, Applicant's independent claim 14 is patentable over Hericourt in view of Samar under 35 U.S.C. §103(a). Similarly, independent claim 38 recites relevant limitations similar to the limitations recited in independent claim 14 and, as such, also is patentable over Hericourt in view of Samar under 35 U.S.C. §103(a). Furthermore, claims 15-17, 20-21 39-41, and 44-45 depend, directly or indirectly from independent claims 14 and 38 while adding additional elements. Accordingly, claims 15-17, 20-21, 39-41 and 44-45 also are non-obvious and patentable over

Hericourt in view of Samar under §103 for at least the same reasons that claims 14 and 38 are patentable over Hericourt in view of Samar under §103.

Therefore, Applicant respectfully requests that the Examiner's rejection be withdrawn.

Claims 18 and 19 and 42-43

Claims 18-19 and 42-43 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hericourt in view of Samar and further in view of Vogel et al. (6,816,900, hereinafter "Vogel"). The rejection is traversed.

Claims 18-19 and 42-43 depend indirectly from independent claims 14 and 38 while adding additional elements. Moreover, for at least the reasons discussed above, Hericourt and Samar, alone or in combination, fail to teach or suggest Applicant's claims 14 and 38. Accordingly, any attempted combination of Hericourt and Samar with any other additional references, in a rejection against the dependent claims, would still result in a gap in the combined teachings in regards to the independent claims. As such, Applicant submits that dependent claims 18-19 and 42-43 are not obvious and are patentable under 35 U.S.C. §103.

Therefore, Applicant respectfully requests that the Examiner's rejection be withdrawn.

CONCLUSION

Thus, Applicant submits that all of the claims presently in the application are allowable. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: _____

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